

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEE NICHOLS,

Defendant.

No. 17-Cr-30153-DRH

ORDER

HERNDON, District Judge:

Now before the Court is defendant's motion to continue trial (doc. 37). Defendant recently retained new counsel and states more time is needed to properly prepare for trial. The government does not object to a continuance of the trial. The Court being fully advised in the premises finds that defendant needs additional time to prepare for trial. The Court finds that pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by the granting of such continuance outweigh the best interests of the public and defendant in a speedy trial. The Court also finds that to deny a continuance of the matter would result in a miscarriage of justice.

Therefore, the Court **GRANTS** defendant's motion to continue trial (doc. 37). The Court **CONTINUES** the jury trial scheduled for May 14, 2018 to **July 30, 2018, at 9:00 a.m.** The time from the date the original motion was filed, April 26,

2018, until the date to which the trial is rescheduled, July 30, 2018, is excludable time for the purposes of speedy trial.

Should either party believe that a witness will be required to travel on the Justice Prisoner and Alien Transportation System (JPATS) in order to testify at the trial of this case, a writ should be requested at least two months in advance.

IT IS SO ORDERED.

  Judge Herndon
2018.04.27
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United States District Court